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Congress of the United States
House of Representatives

May 19, 2005

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The Honorable George W. Bush
The President
The White House
Washington DC 20500

Dear Mr. President:

Many in America, myself included, are deeply concerned by the explosive growth of tribal casinos. There are now more than 400 tribal casinos in 30 states. Tribes also are now aggressively seeking off-reservation land – commonly referred to as “reservation shopping” – to build even more facilities. This rapid expansion of casino gambling is spiraling out of control, with devastating consequences for our country.

This is not a Republican or a Democrat issue; nor is it a conservative or a liberal issue. It is a matter that calls for action in the best interest of every American. Casino gambling, once limited to places like Las Vegas and Atlantic City, is now coming to cities – and even small towns – across America and bringing with it all its social ills, like higher crime and suicide rates, increased personal bankruptcies and the breakup of families.

I write today asking that you issue an executive order placing an immediate two-year moratorium on the opening of any more tribal casinos until Congress can thoroughly review the Indian Gaming Regulatory Act (IGRA) of 1988. Congress, with the help of your administration, must examine the unintended consequences of this legislation and address the gaping loopholes in the law.

The moratorium also should apply to the federal recognition process of tribes, which is completely broken. As you know, I have long been calling for reforms of the tribal recognition process. I repeatedly asked former President Clinton and his administration to take action and have written your administration on several occasions asking for a top-to-bottom review of the process. To date, no steps have been taken to address the issue.

Something also needs to be done to address the issue of senior level staff leaving the Bureau of Indian Affairs and then immediately going out and representing tribes seeking federal recognition. Tougher restrictions must be put in place.

Native Americans have become mere pawns in what is now a billion dollar battleground as outside interests – and investors, some from outside the country – have worked behind the scenes to spur the growth of tribal casinos. In September 2001, the then General Accounting

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Office issued a scathing report saying the process was fraught with problems and needed improvement. The report concluded by saying because of weaknesses in the process, "the end result could be that the resolution of tribal recognition cases will have less to do with the attributes and qualities of a group as an independent political entity deserving of a government-to-government relationship with the United States and more to do with the resources that petitioners and third parties can marshal to develop a successful and political strategy."

The number of tribes now actively "reservation shopping" is extremely troubling. The cover story of the May 9, 2005, issue of *CQ Weekly* reports on the explosive growth of tribal casinos and cites eight states – Oregon, Kansas, Minnesota, Florida, California, Illinois, New York and Ohio – where off-reservation gambling is being proposed. The sidebar article detailing the battles being waged in these states over this issue is enclosed.

Also enclosed is a May 9, 2005, Congressional Research Service memorandum, which I requested, detailing options your administration can take to address this issue, including "(1) withdrawing authority to recognize new tribes; (2) directing that regulations be issued for land acquisition for gaming purposes and that regulations be rescinded for issuing procedures for class III gaming in the absence of a tribal-state compact; and (3) directing the Attorney General to take certain steps to enforce laws against illegal Indian gaming operations."

The unintended consequences of IGRA have not been positive, either for the overwhelming majority of Native Americans who still live in poverty or for the hundreds of communities across America that are now home to tribal casinos. As long as reliance on gambling continues, the welfare of most Native Americans will be in jeopardy. At the same time, the victims of the gambling industry will continue to mount in community after community after community and the economic and social costs to those communities will only increase.

I implore you to involve your administration in this issue before it brings even more harm to the American people. Congress has begun to take steps to address some of these issues – legislation has been introduced in the House to prevent "reservation shopping" – but an executive order will have an immediate impact and is the right thing to do until the myriad of problems that have come with this explosive growth are addressed.

Sincerely,

Frank R. Wolf
Member of Congress

FRW:ds